

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
 Plaintiff,) **CASE NO. 8:04CR499**
)
 vs.)
)
ANTONIO R. AZPEITIA,) **AMENDED ORDER**
)
 Defendant.)

This matter is before the Court on the Unopposed Motion for Continuance of Change of Plea Schedule filed by the Plaintiff, United State of America (Filing No. 13).

For good cause shown, the Motion shall be granted.

IT IS ORDERED:

1. The Unopposed Motion for Continuance of Change of Plea filed by the Plaintiff, United State of America (Filing No. 13) is granted;
2. The Change of Plea is rescheduled before District Judge Laurie Smith Camp on the **31st day of October, 2005**, at the hour of **2:30 p.m.** in Courtroom No. 2, Third Floor, Roman L. Hruska Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.
3. Counsel shall abide by the requirements of NE Crim. 11.1(d) regarding the filing and provisions of the petition to enter a plea of guilty and any written plea agreement.
4. On or before the date for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.
5. For this defendant, the time between today's date and the hearing on the anticipated plea of guilty is excluded for purposes of computing the limits under the Speedy Trial Act. The Court finds that failure to grant a continuance would result in a miscarriage of justice. **See 18 U.S.C. §§ 3161(h)(1)(I), (h)(8)(A) & (h)(8)(B).**

DATED this 6th day of October, 2005.

BY THE COURT:
s/Laurie Smith Camp
United States District Judge